

CASE # C15-2013-0016
ROW-10895944
TP-0416190121

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 6726 Lancet Hill drive

LEGAL DESCRIPTION: Subdivision – Cherry Creek

Lot(s) 2 Block N Outlot _____ Division _____

I Jim Bennett as authorized agent for Karen A. Wargo
_____ affirm that on 1/29/13, hereby apply for a hearing before the Board of

Adjustment for consideration to:

ERECT – ATTACH – COMPLETE – REMODEL – MAINTAIN

An addition to an existing duplex providing and maintaining a front street setback of 13 ft., and a side yard setback of 0 ft. and a side yard setback of 4 ft. and providing an impervious cover of 64 %
_____ in a MF-2 district.
(zoning district)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Christine Esparza with Austin Energy at 322-6112 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

The previous owner constructed the decks without the knowledge that permits were required and due to the topography of the site, the only reasonable place to located the additions are as shown. The majority of the impervious cover is due to the rear access and required parking.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:

The structures are existing and would be difficult to remove the deck were added for a reasonable use of the yard areas. The variances being requested were previously approved by the Board of Adjustment 16 years ago in 1996. The owner at that time was granted the variance, but apparently failed to secure a permit. See Board of adjustment case C15-96-005.

- (b) The hardship is not general to the area in which the property is located because:

This request is to reapprove a variance that was granted 16 years ago so that the proper permits may be issued.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The structures and impervious cover are existing and therefor will not change the character of the neighborhood.

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed _____ Mail Address 11505 Ridge Drive

City, State & Zip : Austin, TX 78748

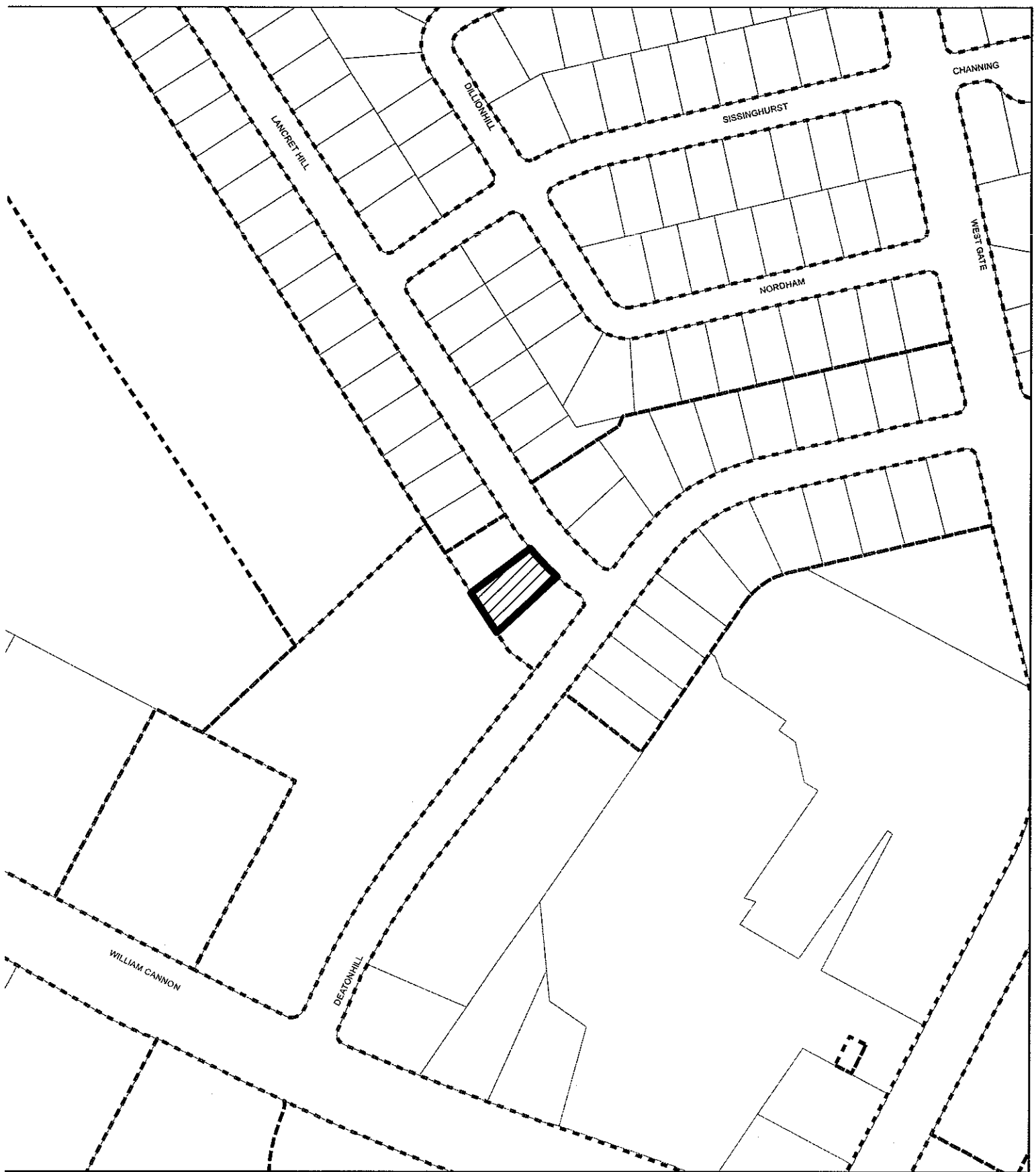
Printed Jim Bennett Phone 282-3079 Date 1/29/13

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed _____ Mail Address

City, State & Zip

Printed Phone Date

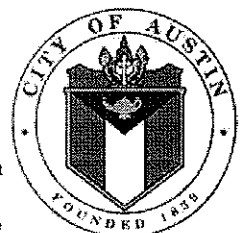


SUBJECT TRACT



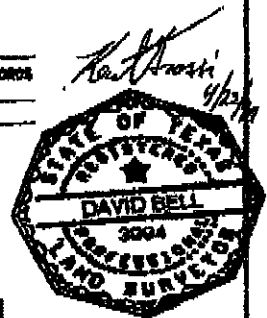
ZONING BOUNDARY

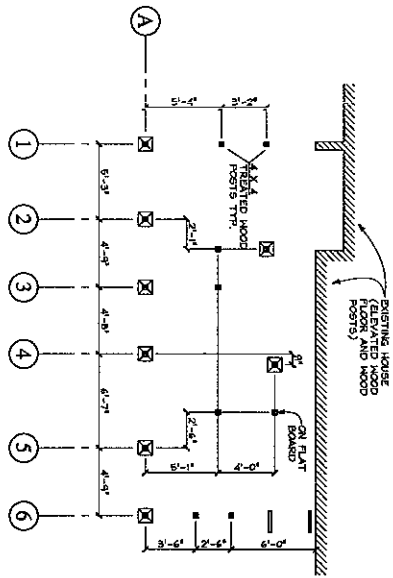
CASE#: C15-2013-0016
LOCATION: 6726 LANCRET HILL DR



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

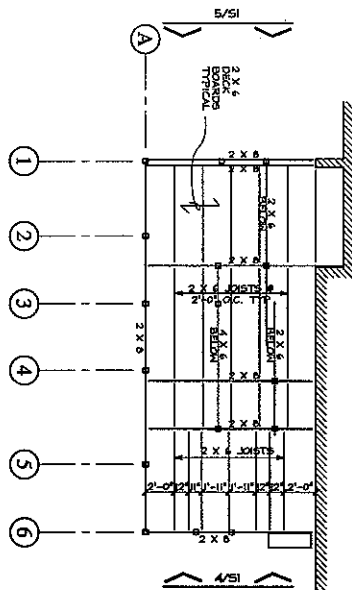
This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.





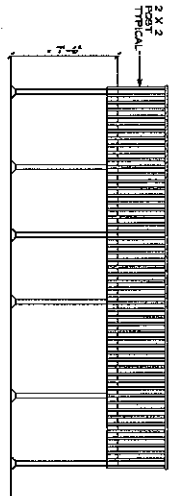
1 AS-BUILT DECK POST PLAN
1/8" = 1'-0"

PLAN NOTES
1) POSTS ARE PROVIDED INTO
GROUND UNTO
2) [X] INDICATE PRECAST
CONCRETE BASE.

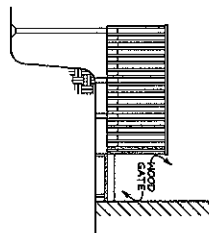


2 AS-BUILT DECK FRAMING PLAN
1/8" = 1'-0"

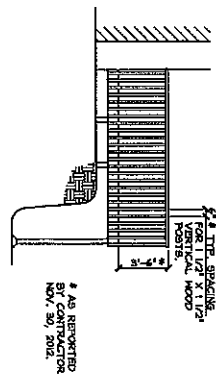
PLAN NOTES
1) ALL JOISTS ARE 2 X 6.



3 AS-BUILT ELEVATION
1/8" = 1'-0"



4 AS-BUILT ELEVATION
1/8" = 1'-0"



5 AS-BUILT ELEVATION
1/8" = 1'-0"

CITY OF AUSTIN
BOARD OF ADJUSTMENT/SIGN REVIEW BOARD
DECISION SHEET

DATE: 1-8-96

CASE NUMBER: C15-96-005

APPLICANT: Doris & Carl Cooper

ADDRESS: 6726 Lancrest Hill

VARIANCE REQUESTED: Maintain an addition to an existing duplex
providing a 13 foot front street setback, a 0 foot side yard
set back and a 4 foot side yard setback and a maximum impervious
coverage of 64%.

BUILDING OFFICIAL'S DECISION: Section 13-2-630 of Chapter 13-2, requires
a 25 foot front street setback, a 5 foot side yard setback and
a maximum impervious coverage of 60%

BOARD'S DECISION: *Granted (5, 0) - Zoning regulations
do not allow for reasonable use - topography provisions
used as a duplex - Reason. to allow use of deck
Concrete is necessary for parking - Unique to property -
no other degree of concrete in other yards which
add to impervious coverage* *

Tracy Watson
Tracy Watson, Executive Secretary

Sylvia Herrera
Sylvia Herrera, Chairperson

* With conditions AS BELOW:

- according to ~~say~~ site plan shown to Board
- as built
- w/ no additions.

WARNING: Filing of this appeal stops all affected construction.

PLEASE USE BLACK INK

PART I: APPLICANTS STATEMENT

STREET ADDRESS: 6726 LANCRET HILL

LEGAL DESCRIPTION: Subdivision - CHERRY CREEK

Lot(s) 2 Block N Outlot _____ Division _____

I/We DORIS & CARL COOPER on behalf of myself/ourselves as
authorized agent for SAME affirm that on
12-15 1995, hereby apply for a hearing before the Board of Adjustment for
consideration to:

ERECT - ATTACH - COMPLETE - REMODEL - MAINTAIN - SUBDIVIDE

AN ADDITION TO DUPLEX RESIDENCE WITH FRONT STREET
SETBACK OF 13, & SIDE YARD SET BACK OF 0, & REAR
SIDE YARD SET BACK OF 4', IMPERVIOUS COVERAGE OF
in a MF 2 zone. 64%
(zone district)

NOTE: The Board must determine the existence of, sufficiency of and weight of
evidence supporting the findings described below. Therefore, you must
complete each of the applicable Findings Statements as part of your
application. Failure to do so may result in your application being
rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is
based on the following findings:

REASONABLE USE:

1. The Zoning regulations applicable to the property do not allow for a
reasonable use because: ADDITION & DECKS

BUILT WITHOUT KNOWLEDGE OF PERMIT &
ONLY REASONAL PLACE TO LOCATE DUE TO
TOPOGRAPHY OF LOT & LOCATION OF PARKING
IN REAR.

MAJORITY OF IMPERVIOUS COVERAGE WAS EXISTING
FOR REQUIRED PARKING.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:

THE STRUCTURES ARE EXISTING & WOULD BE DIFFICULT TO REMOVE. DECKS ~~WERE~~ ADDED FOR REASONABLE USE OF YARD AREAS

- (b) The hardship is not general to the area in which the property is located because:

THE OTHER PROPERTIES HAVE ACCESS SIDE YARDS & ARE NOT ENCRUCHING

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the zoning district in which the property is located because:

HAS BEEN EXISTING & HAS NOT BEEN A PROBLEM FOR NEIGHBORS,

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 107 of Chapter 13-5 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonably require strict or literal interpretation and enforcement of the specified regulation because:

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE - I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed _____ Mail Address _____

City, State & Zip _____

Printed _____ Phone _____ Date _____

OWNERS CERTIFICATE - I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed MRS COOPER Carl Cooper Mail Address 6726-A LAURET HILL

City, State & Zip AUSTIN TX. 78745

Printed CARL COOPER Phone 442-5890 Date 12-15-95

PART II: BUILDING OFFICIALS STATEMENT

Applicant is requesting a variance to:

Maintain an addition to an existing duplex providing a 13 foot front street setback a 0 foot side yard setback a 4 foot side yard setback and to maintain a max impervious coverage of 64%.

Section 13-2-630 of Chapter 13-2, provides, requires or allows:

A 25 foot front street setback, a 5 foot side yard setback and max. impervious coverage of 60%.

DATE

12/20/95

BUILDING OFFICIAL

Connie Becton

SURVEY PLAT

LANCRET HILL DR.
(60' ROW)

CONC. C 16
CONC. WALK
3 40' 14" 00" E C=59.97' A=60.02'

25' BLDG LINE
Vol. 76 Pg. 283
Vol. 7184 Pg. 1435

NEIGHBOR

NEIGHBOR

5' BLDG LINE & 3.0' E
Vol. 7184 Pg. 1435

5' BLDG LINE & 3.0' E
Vol. 7184 Pg. 1435

LOT 2

BLOCK N

20' DRNG. EMT.
Vol. 76 Pg. 283

75' P.U.E.
Vol. 76 Pg. 283

15' BLDG. LINE
Vol. 7184 Pg. 1435

75' P.U.E. & D.E.
Vol. 7184 Pg. 1435

PROPERTY SUBJECT TO RESTRICTIVE
COVENANTS RECORDED IN Vol. 76 Pg. 283, PLAT
RECORDS AND Vol. 7184 Pg. 1435, DEED RECORDS.

● IRON ROD FOUND

○ IRON ROD SET

▲ NAIL FOUND

G & Z

LAND SURVEYING CO.

P.O. BOX 162262
AUSTIN, TEXAS 78716
(512) 833-7742

Job No. **955729**

DATE **12/6/95**

SCALE **1" = 30'**

SB/PG **NA**

FINAL CHECK **RGO**

JOB No. **9512009**

State Of Texas, County Of Travis

I hereby certify that the above survey was made this day on the ground of the property legally described hereon, is true and correct and that there are no discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, visible utility lines or roads in place except as shown hereon, and said property has access to a dedicated roadway, except as shown hereon.

TO CORNERSTONE INVESTMENT CO. FIDELITY NATIONAL FIRE KEVIN A. KEELING STEPHEN E. KEELING

LOT NO. **2** BLOCK NO. **N**

ENERGY CREEK PHASE SIX, SECTION FOUR A SUBDIVISION

IN THE CITY OF **TRAVIS**

COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT OF RECORD IN Vol. 76

Pg. 283 PLAT RECORDS, **TRAVIS** COUNTY, TEXAS, LOCALLY

KNOWN AS **6726 Lancret Hill Dr.** BUYER **KEELING**

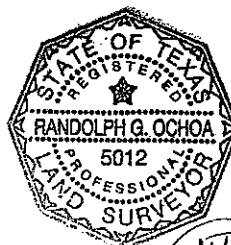
The above legally described is in Zone **X** and is **NOT** within

a special flood hazard area as described by the Federal

Emergency Management Agency on Community Panel No.

48453 COESSE Dated **6-14-93** for the City

of **TRAVIS** County, Texas.



RANDOLPH G. OCHOA R.P.L.S. NO. 5012